

**U.S. District Court  
Eastern District of Michigan (Bay City)  
CIVIL DOCKET FOR CASE #: 1:05-cv-10053-DML-CEB**

H. E. Services Company et al v. Delphi Automotive,  
Incorporated  
Assigned to: Honorable David M Lawson  
Referred to: Honorable Charles E Binder  
Demand: \$9,999,000  
Cause: No cause code entered

Date Filed: 02/16/2005  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**H. E. Services Company**

represented by **Russell C. Babcock**  
Mastromarco & Jahn (Saginaw)  
1024 N. Michigan Avenue  
P.O. Box 3197  
Saginaw, MI 48605-3197  
989-752-1414  
Email: Russellbabcock@aol.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Victor J. Mastromarco, Jr.**  
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**Manda L. Anagnost**  
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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Robert Backie**

represented by **Russell C. Babcock**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**



**Victor J. Mastromarco, Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Manda L. Anagnost**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Delphi Automotive, Incorporated**  
TERMINATED: 05/19/2005

represented by **Arthur T. Lippert, Jr.**  
Lippert, Humphreys (Saginaw)  
4800 Fashion Square Boulevard  
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989-792-2552  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Donald R. Parshall, Jr.**  
Delphi Corporation Legal Staff  
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248-813-2000  
Email: [donald.r.parshall@delphi.com](mailto:donald.r.parshall@delphi.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Delphi Automotive Systems, LLC**

represented by **Arthur T. Lippert, Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
02/16/2005	1	COMPLAINT filed by H. E. Services Company, Robert Backie against Delphi Automotive, Incorporated ; Receipt No. 19124.(BSoc, ) (Entered: 02/17/2005)
03/03/2005	2	SUMMONS Returned Executed. Delphi Automotive, Incorporated served on 2/25/2005, answer due 3/17/2005. (BSoc, ) (Entered: 03/03/2005)
03/17/2005	3	MOTION to Dismiss by Delphi Automotive, Incorporated. (BSoc, )

		(Entered: 03/18/2005)
04/06/2005	<u>4</u>	NOTICE TO APPEAR: Scheduling Conference set for 5/3/2005 11:00 PM before Honorable David M Lawson. (CGre, ) (Entered: 04/06/2005)
04/06/2005	<u>5</u>	NOTICE of hearing on <u>3</u> MOTION to Dismiss. Motion Hearing set for 5/3/2005 11:00 AM before Honorable David M Lawson. (CGre, ) (Entered: 04/06/2005)
04/08/2005	<u>6</u>	STIPULATION re <u>3</u> MOTION to Dismiss <i>Stipulation to Extend Time for the filing of Plaintiffs' Response to Defendant's Motion to Dismiss</i> by H. E. Services Company, Robert Backie.(Babcock, Russell) (Entered: 04/08/2005)
04/11/2005	<u>7</u>	NOTICE of hearing on <u>3</u> MOTION to Dismiss. Motion Hearing reset for 5/19/2005 02:30 PM before Honorable David M Lawson. (TJac, ) (Entered: 04/11/2005)
04/12/2005	<u>8</u>	ORDER to Extend Time to File Response re <u>6</u> Stipulation filed by H. E. Services Company and Robert Backie. Responses due by 4/18/2005. Signed by Honorable David M Lawson. (BSoc, ) (Entered: 04/13/2005)
04/18/2005	<u>9</u>	RESPONSE to <u>3</u> MOTION to Dismiss filed by H. E. Services Company, Robert Backie. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit Exhibit 1- Case Law# <u>3</u> Exhibit Exhibit 2- correspondence dated 1-26-01# <u>4</u> Exhibit Exhibit 3- application to do business in MI# <u>5</u> Exhibit Exhibit 4- affidavit of Victor J. Mastromarco# <u>6</u> Exhibit Exhibit 5- email dated 11-10-05# <u>7</u> Exhibit Exhibit 6- emails dated 3-3-05 & 3-2-05)(Babcock, Russell) (Entered: 04/18/2005)
04/26/2005	<u>10</u>	REPLY to Response re <u>3</u> MOTION to Dismiss filed by Delphi Automotive, Incorporated. (BSoc, ) (Entered: 04/27/2005)
04/27/2005	<u>11</u>	NOTICE TO APPEAR: Scheduling Conference reset for 5/19/2005 02:30 PM before Honorable David M Lawson. (TJac, ) (Entered: 04/27/2005)
05/19/2005	<u>12</u>	ORDER granting <u>3</u> Motion to Dismiss and Allowing Amendment. Signed by Honorable David M Lawson. (CGre, ) (Entered: 05/19/2005)
05/19/2005		Minute Entry -Motion Hearing held on 5/19/2005 re <u>3</u> MOTION to Dismiss filed by Delphi Automotive, Incorporated, before Honorable David M Lawson. (Court Reporter Charlene McLoughlin) (TJac, ) (Entered: 05/20/2005)
06/09/2005	<u>13</u>	AMENDED COMPLAINT filed by all plaintiffs against Delphi Automotive Systems, LLC. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit One# <u>3</u> Exhibit One A# <u>4</u> Exhibit Two# <u>5</u> Exhibit Three# <u>6</u> Exhibit Four# <u>7</u> Exhibit Five# <u>8</u> Exhibit Six)(Babcock, Russell) (Entered: 06/09/2005)
06/20/2005	<u>14</u>	SUMMONS Returned Executed. Delphi Automotive Systems, LLC served on 6/13/2005, answer due 7/5/2005 (BSoc, ) (Entered: 06/20/2005)

06/28/2005	<u>15</u>	NOTICE of Change of Attorney Information by H. E. Services Company, Robert Backie. (Westervelt, Manda) (Entered: 06/28/2005)
07/08/2005	<u>16</u>	REQUEST FOR CLERK'S ENTRY OF DEFAULT as to Delphi Automotive Systems, LLC, Delphi Automotive, Incorporated by Robert Backie. (Attachments: # <u>1</u> Exhibit Affidavit of Manda L. Anagnost) (Anagnost, Manda) (Entered: 07/08/2005)
07/11/2005	<u>17</u>	ANSWER to Amended Complaint with Affirmative Defenses by Delphi Automotive Systems, LLC.(BSoc, ) (Entered: 07/12/2005)
07/12/2005	<u>18</u>	NOTICE OF DENIAL OF CLERK'S ENTRY OF DEFAULT as to Delphi Automotive Systems, LLC. (BSoc, ) (Entered: 07/12/2005)
08/01/2005	<u>19</u>	MOTION for Default Judgment as to Delphi Automotive Systems, LLC by all plaintiffs. (Attachments: # <u>1</u> Exhibit A. Notice of Denial of Request for Clerk's Entry of Default)(Anagnost, Manda) (Entered: 08/01/2005)
08/02/2005	<u>20</u>	(ERROR: document is a SUPPLEMENTAL MOTION for court's entry of default and motion to set aside clerk's order denying default dated July 12, 2005) MOTION to Enforce Judgment <i>Supplemental</i> by all plaintiffs. (Anagnost, Manda) Modified on 8/3/2005 (DPer, ). (Entered: 08/02/2005)
08/04/2005	<u>21</u>	RESPONSE to <u>20</u> MOTION to Enforce Judgment <i>Supplemental</i> , <u>19</u> MOTION for Default Judgment as to Delphi Automotive Systems, LLC filed by Delphi Automotive, Incorporated. (Lippert, Arthur) (Entered: 08/04/2005)
08/24/2005	<u>22</u>	MOTION to Dismiss by Delphi Automotive, Incorporated. (Lippert, Arthur) (Entered: 08/24/2005)
09/01/2005	<u>23</u>	MOTION for Default Judgment as to Delphi Automotive Systems, LLC <i>Second Supplement</i> by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1) (Anagnost, Manda) (Entered: 09/01/2005)
09/06/2005	<u>24</u>	RESPONSE to <u>23</u> MOTION for Default Judgment as to Delphi Automotive Systems, LLC <i>Second Supplement</i> filed by Delphi Automotive Systems, LLC. (Attachments: # <u>1</u> Exhibit Affidavit of Janet M. Silva)(Lippert, Arthur) (Entered: 09/06/2005)
09/13/2005	<u>25</u>	RESPONSE to <u>22</u> MOTION to Dismiss filed by all plaintiffs. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit 1# <u>3</u> Exhibit 2)(Babcock, Russell) (Entered: 09/13/2005)
09/16/2005	<u>26</u>	SUPPLEMENTAL BRIEF re <u>19</u> MOTION for Default Judgment as to Delphi Automotive Systems, LLC <i>3rd Supplement</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Affidavit of Maser - Consumers)(Anagnost, Manda) (Entered: 09/16/2005)
09/20/2005	<u>27</u>	NOTICE TO APPEAR: Scheduling Conference set for 11/2/2005 03:30 PM before Honorable David M Lawson. (CGre, ) (Entered: 09/20/2005)

09/20/2005	<u>28</u>	NOTICE of hearing on <u>22</u> MOTION to Dismiss, <u>23</u> MOTION for Default Judgment as to Delphi Automotive Systems, LLC <i>Second Supplement</i> . Motion Hearing set for 11/2/2005 03:30 PM before Honorable David M Lawson. (CGre, ) (Entered: 09/20/2005)
09/27/2005	<u>29</u>	REPLY to Response re <u>22</u> MOTION to Dismiss filed by Delphi Automotive, Incorporated. (Attachments: # <u>1</u> Exhibit A - Affidavit of Marjorie Harris Loeb)(Lippert, Arthur) (Entered: 09/27/2005)
10/10/2005	<u>30</u>	(STRICKEN) OBJECTION to <i>Deposition</i> by all plaintiffs. (Anagnost, Manda) Modified on 10/12/2005 (PPaul, ). (Entered: 10/10/2005)
10/13/2005	<u>31</u>	SUGGESTION OF BANKRUPTCY Upon the Record <i>Notice of Delphi Automotive Systems, LLC's Filing of Chapter 11 Bankruptcy Petition</i> by Delphi Automotive Systems, LLC.(Lippert, Arthur) (Entered: 10/13/2005)
10/24/2005	<u>32</u>	ORDER ADMINISTRATIVELY CLOSING CASE pursuant to notice of bankruptcy, Signed by Honorable David M Lawson. (TJac, ) (Entered: 10/24/2005)

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03/02/2006 14:24:26			
PACER Login:	mw0759	Client Code:	backie
Description:	Docket Report	Search Criteria:	1:05-cv-10053-DML-CEB
Billable Pages:	3	Cost:	0.24